

COMMISSIONERS
KRISTIN K. MAYES- Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP



0000109657

RECEIVED ARIZONA CORPORATION COMMISSION

ORIGINAL

2010 MAR 31 P 3: 35

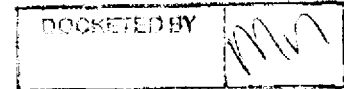
March 31, 2010

Arizona Corporation Commission

DOCKETED

MAR 31 2010

Lawrence V. Robertson, Jr.
P. O. Box 1448
Tubac, Arizona 85646



RE: Tierra Linda Homeowners Association, Inc. and Gary Smyth – Joint Application for authorization to sell water system assets and transfer Certificate of Convenience and Necessity to Gary Smyth Docket Nos. W-20689A-09-0327 and W-04236A-09-0327
INSUFFICIENCY LETTER #3

Dear Mr. Robertson:

In reference to the above mentioned application filed on June 26, 2009, and the supporting documents filed on October 9, 2009 and March 3, 2010, this letter is to inform you that the application still has not met the sufficiency requirements as outlined in the Arizona Administrative Code. The deficiencies are:

1. The Applicants failed to provide a response to item #5 of the November 6, 2010 Insufficiency Letter #2. Please provide the status of the following Tierra Linda Homeowners Association's WIFA application. Does the new owner intend to pursue this application, please explain?

*Project Name: Tierra Linda Well No. 2 Permitting and Design, Booster motor upgrades,
Application Number: TADW-067-2010*

2. Failure to comply with prior Commission Decision. According to Utilities Division's Compliance Database, Goodman Water Company, one of Mr. Gary Smyth's companies is not in compliance with Commission Decision No. 68444, issued in W-02500A-05-0443. Attached is a list of the Compliance Delinquencies. Please contact Carmel Hood at 602-542-0847 to resolve the Compliance Delinquencies.

Staff would like to use this opportunity to bring the following to your attention:

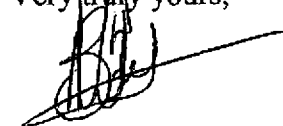
- Pursuant to the Arizona Administrative Code ("A.A.C.") R-14-2-411(C), the time-frame for administrative completeness review shall be suspended from the time the notice of deficiency is issued until staff determines that the application is complete. Upon meeting sufficiency requirements, the Commission has 150 calendar days for its substantive review. This includes conducting a hearing and preparing Opinion and Order to present to the Commission at an Open Meeting

Tierra Linda HOA and Gary Smyth
W-20689A-09-0327 and W-04236A-09-0327
Page 2

Please file your response to this Insufficiency Letter with Docket Control.

If you have any questions concerning this matter, please do not hesitate to contact me at 602-542-0840 or Del Smith at 602-542-7277.

Very truly yours,

A handwritten signature in black ink, appearing to be 'B. Chukwu', written over a horizontal line.

Blessing N. Chukwu
Executive Consultant III

BNC

cc: Docket Control
Del Smith
Lyn Farmer
Brian Bozzo
Connie Walczak

COMPLIANCE REQUIREMENTS

UTILITY: Goodman Water Company

DOCKET: W-02500A-05-0443 **DECISION NO:** 68444

ACTION: The Company will file with Docket Control as a compliance item in this docket, a copy of the developer's CERTIFICATE OF ASSURED WATER SUPPLY (CAWS) for the "Eagle Crest West" extension area, within 365 days of the effective date of this Order. The decision granting the requested CC&N extension be considered null and void should Goodman Water Company fail to meet the above condition within the times specified.

COMPLIANCE DUE DATE: **2/2/2009**

UTILITY: Goodman Water Company

DOCKET: W-02500A-05-0443 **DECISION NO:** 68444

ACTION: The Company will file with Docket Control as a compliance item in this docket, for Staff review and approval, a copy of the fully executed MAIN EXTENSION AGREEMENTS for water facilities for the extension area within 365 days of the effective date of this Order. The decision granting the requested CC&N extension be considered null and void should Goodman Water Company fail to meet the above condition within the times specified.

COMPLIANCE DUE DATE: **2/2/2007**
